

Appl. No. 10/713,636
Atty. Docket No. CM2567C
Amdt. dated 10/21/2005
Reply to Office Action of 07/22/2005
Customer No. 27752

REMARKS

Claim Amendments

Claims 1-8 and 10-15 are pending in the present application. Claim 9 has been previously canceled. No additional claims fee is believed to be due.

Claim 1 has been amended as shown above. Support for this amendment can be found in original claim 1 as well as at page 4, lines 1-12 of the specification.

Claims 2-4 have been amended as shown above to conform with the current amendment to claim 1. Support for these amendments can be found in the original claims and at page, 4, lines 14-21 of the specification.

Claims 5-8 have been amended as shown above to more particularly and distinctly claim the subject matter of the present invention. Support for these amendments can be found in the original claims.

It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Rejections Under 35 USC 112, First Paragraph

Claims 1-8 and 10-15 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Examiner asserts that the claims contain subject matter which is not described in the specification in such a way as to reasonably convey to one of ordinary skill in the relevant art that the inventors had possession of the claimed invention at the time the application was filed. Specifically, the Examiner asserts that the specification gives no guidance to one of ordinary skill in the art with respect to chemical structures corresponding to the expressions "divalent organic moiety" and "monovalent organic moiety", which appear in claim 1. Additionally, the Examiner asserts that these expressions could encompass myriad compounds and represent only an invitation to experiment regarding possible compounds. Applicants respectfully traverse the present rejection based on the following comments.

As currently amended, Applicants' claim 1 is directed to a hair care composition comprising one or more surfactants and a terminal aminofunctional polysiloxane according to the formula $R_{3-y}Q_ySiO[A]_xSiQ_zR_{3-z}$ as defined in the claim. Applicants have found that the positioning of an amino group at the terminal position of the polysiloxane

Appl. No. 10/713,636
Atty. Docket No. CM2567C
Amdt. dated 10/21/2005
Reply to Office Action of 07/22/2005
Customer No. 27752

chain provides the polysiloxanes with improved conditioning performance versus graft amino silicone polymers, which have pendant amino groups. The specification of the present application describes this subject matter in such a way as to reasonably convey to one skilled in the relevant art that Applicants had possession of the claimed invention at the time the application was filed. See the specification of the present application at page 4, lines 1-21.

Accordingly, Applicants' claims 1-8 and 10-15 comply with the written description requirement of 35 U.S.C. § 112, first paragraph. In addition, Applicants' claims 1-8 and 10-15 are novel and nonobvious over any prior art of record.

CONCLUSION

In light of the amendments and remarks presented herein, it is requested that the Examiner reconsider and withdraw the present rejections. Early and favorable action in the case is respectfully requested.

Applicants have made an earnest effort to place their application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing, Applicants respectfully request reconsideration of this application, entry of the amendments presented herein, and allowance of Claims 1-8 and 10-15.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By Michael J. Sambrook
Signature

Michael J. Sambrook
Typed or Printed Name
Registration No. 56,746
(513) 626-2269

Date: October 21, 2005
Customer No. 27752